

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCISCO APARICIO,

Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING DEFENDANT'S
PRO SE MOTION FOR EARLY
TERMINATION OF SUPERVISED
RELEASE

Case No. 1:08-CR-63 TS

This matter is before the Court for consideration of Defendant Francisco Aparicio's *Pro Se* Motion for Early Termination of Supervised Release.¹ The Court will grant the Motion.

I. BACKGROUND

Defendant was sentenced to a term of 12 months imprisonment to be followed by 36 months of supervised release after pleading guilty to a violation of 18 U.S.C. § 922(j).

Defendant began his term of supervised release on May 5, 2009. Defendant now moves to terminate that supervision. The government has not responded to Defendant's Motion.

¹Docket No. 20.

In his Motion, Defendant represents that he has been continually employed during the term of his supervised release, that he has fulfilled all of his financial obligations, and that he has been compliant with his supervising officer. Consultation with Defendant's supervising officer confirms these statements. Defendant also represents that he has strong ties to his family, does volunteer work, and has learned from his past mistakes and is working to better himself. To this end, Defendant earned his high school diploma while in custody. Defendant also represents that he would like to visit his grandparents in Mexico.

II. DISCUSSION

18 U.S.C. § 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is (1) warranted by the conduct of an offender and (2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

Having considered these factors, reviewed the docket and case file, and consulted with Defendant's supervising officer, the Court finds that early termination of Defendant's term of supervised release is both warranted by the conduct of the offender and in the interest of justice.

III. CONCLUSION

It is therefore


ORDERED that Defendant's *Pro Se* Motion for Early Termination of Supervised Release (Docket No. 20) is GRANTED. It is further

ORDERED that Defendant's term of supervised release shall be terminated effective immediately and this case shall be closed.

SO ORDERED.

DATED July 13, 2010.

BY THE COURT:



TED STEWART
United States District Judge